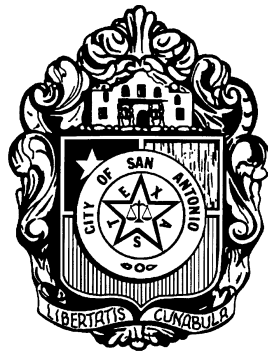


CITY OF  
SAN ANTONIO

MUNICIPAL  
COURTS  
DEPARTMENT



APPELLANT'S  
INFORMATION

San Antonio Municipal Courts are courts of record. This means that any appeal of a decision finding an individual guilty must be based on legal, evidentiary, or procedural errors made during the trial. These errors must first be set forth in a Motion for New Trial and presented in the transcript and the Statement of Facts prepared from the trial. The County Courts At Law in Bexar County have jurisdiction over the appeals from the Municipal Courts.

If you are found guilty and wish to appeal, you must follow procedures for appeal set forth in the Government Code §30.00014. The procedures consist of the four following steps:

1. Motion for New Trial
2. Notice of Appeal
3. Appeal Bond
4. Record on Appeal

#### 1. Motion for New Trial

If you wish to appeal your case, you must file a Motion for New Trial with the Municipal Courts not later than ten (10) days after the date the judgement is rendered. If the 10<sup>th</sup> day falls on a Saturday, Sunday, or legal holiday, then count the next day as the due date. The motion shall set forth the points of error in the trial.

#### 2. Notice of Appeal

In the event that a hearing is held on your Motion for New Trial and the Judge overrules your motion, you must give oral or written Notice of Appeal in open court on the day your motion is overruled. If there is no hearing, you must give Notice of Appeal in writing within ten (10) days after the Motion for New Trial is overruled. An original or amended motion shall be deemed overruled by operation of law at the expiration of 30 days allowed for determination of the motion if it is not acted on by the court within that time.

#### 3. Appeal Bond

You must file an Appeal Bond no later than the 10<sup>th</sup> day after your Motion for New Trial is overruled. The Appeal Bond must be approved by the court and must be in the amount of \$100.00 or double the fine and court costs, whichever is greater. The Appeal Bond must state that you were convicted in your case and that you are appealing the conviction. The Appeal Bond must be conditioned on your immediate and daily personal appearance in the court to which the appeal is taken.

#### 4. Record on Appeal

The record on appeal in a case appealed from the Municipal Courts consists of the certified transcript and Statement of Facts. The Statement of Facts is prepared by the court reporter from the reporter's record or mechanical recordings of the trial proceedings. Not later than the 60<sup>th</sup> day

after the Notice of Appeal is given or filed, you must file the following with the Municipal Courts:

- A. A written request for a certified transcript to be transferred to the appellate court. The request must include a description of materials to be included in the transcript. The transcript of proceedings shall include: the complaint, material docket entries made by the court, jury charge, jury verdict, judgement, motion for new trial, notice of appeal, all written motions and pleas, bills of exception, and the appeal bond.
- B. At the time of your request, you must pay a \$25.00 certified transcript preparation fee. This does not pay for the actual transcript of the proceedings. If you are successful in the appeal of your case, the \$25.00 transcript preparation fee is refunded to you. This fee is used to cover the costs of processing your appeal to the appellate court.
- C. The Statement of Facts. You must pay the court reporter for this cost. All requests for court reporter services require: \$75.00 deposit, \$4.00 per page, and \$10.00 for binding.
- D. You only have sixty (60) days for the court reporter to transcribe the Statement of Facts for you to file. The sixty (60) days are counted beginning the day after you give your Notice of Appeal.

Upon completion of the record (the appellate file), the Municipal Judge shall approve the record and notify the appellate court. The Municipal Clerk shall then promptly send the file to the appellate court. When the appellate court receives the file, the clerk of that court will notify you that the file has been received.

Contact the court reporter for specific details regarding the transcription of court proceedings at the following address:

Court Reporter  
Municipal Courts  
401 S. Frio St.  
San Antonio, TX 78207  
210-207-7138  
210-207-7917

Summary of Charges	
Appeal Bond:	\$100.00 or double the amount of the fine and court costs, whichever is greater.
Preparation of Transcript Fee:	\$25.00 due at the time of request for transcript
Court Reporter Fees:	\$75.00 deposit
	\$4.00 per page
	\$10.00 for binding